

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LARRY PIONE,)	
Plaintiff,)	
)	
)	
v.)	C.A. No. 04-12177-MLW
)	
THE MASSACHUSETTS PORT)	
AUTHORITY,)	
Defendant.)	

ORDER

WOLF, D.J.

September 19, 2005

For the reasons stated in detail in court on September 19, 2005, it is hereby ORDERED that:

1. Defendant The Massachusetts Port Authority's ("Massport") Motion to Dismiss (Docket No. 7) is ALLOWED in part and DENIED in part. More specifically, Massport's Motion to Dismiss is ALLOWED with respect to Counts II (Wrongful Termination); and it is ALLOWED with regard to Count V (Intentional Infliction of Emotional Distress) and VI (Negligent Infliction of Emotional Distress) to the extent that these claims arise out of defendant's alleged conduct while plaintiff was employed by Massport. Massport's Motion to Dismiss is DENIED with respect to Counts I (Willful Violation of the Family and Medical Leave Act), III (Breach of Contract), and IV

(Defamation).

2. The parties shall comply with the attached Scheduling Order.

/s/ MARK L. WOLF
UNITED STATES DISTRICT JUDGE